

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
Kenyon 4 Lot Subdivision, 3200 20857 (TPM) & 3500 10-014 (STP)

September 16, 2010

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

As identified within Section 67.722.A (Residential Density Controls) of the San Diego County Groundwater Ordinance, all parcels for single-family dwellings must be a minimum of 4 gross acres. The project's parcel 1 (6.47 gross acres) and parcel 3 (8.97 gross acres) are in compliance with the Groundwater Ordinance Residential Density Controls.

As identified within Section 67.750 (Exemptions), the project's parcel 2 (2.89 gross acres) and parcel 4 (2.68 gross acres) have been granted an exemption from the minimum parcel size imposed by Section 67.722.A. A finding has been made that existing data clearly demonstrate that the finding required by Section 67.722.B of the Groundwater Ordinance can be made without additional study. The data demonstrates that replenishment of groundwater resources is rapid and reliable, and is controlled primarily by infiltration of streamflow rather than on-site recharge.

As identified within Section 67.722.C (Well Tests) of the San Diego County Groundwater Ordinance, the project conducted one required residential well test which passed the residential well test requirements as defined in Section 67.703.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains southern arroyo willow riparian forest along Pine Creek, which if disturbed would result in a significant impact. The entire area of southern arroyo willow riparian forest will be placed in an open space easement prior to issuance of

improvement or grading plans or prior to recordation of the Parcel Map, whichever comes first. In addition, the biological open space easement will include a wetland buffer of 50 feet and additional habitat for mitigation, and will be separated from development by a 100 foot Limited Building Zone. There will be no net loss of wetlands and therefore no significant impact will occur. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is in compliance. The Pine Valley Creek floodway/floodplain fringe area crosses the property in the eastern portion and drains in a northeast to west direction. The only proposed pad adjacent to the flood plain is on Parcel 1. The floodway width adjacent to the Parcel 1 pad is approximately 430 feet wide. The Resource Protection Ordinance requires that the buffer equal to 15% of the floodway width (or 65 feet) be observed between the edge of the floodway and the pad. The 65-foot buffer has been incorporated into the design for Parcel 1. Therefore, the project is in compliance with Resource Protection Ordinance.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. The riparian habitat along Pine Creek was identified as Sensitive habitat lands because of its high value and potential to support arroyo toads, as determined on a site visit conducted by Beth Ehsan on July 16, 2009. However, the project will not complete any development, grading, grubbing, clearing, or any other activity that will damage the sensitive habitat lands. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego staff archaeologist Gail Wright and Diane Buell on May 13, 2010 and it has been determined there is one historic isolate. Investigation determined the isolate does not meet the definition of CEQA or RPO significance. It does not need to be preserved under the Resource Protection Ordinance.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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Discussion:

The project Storm Water Management Plan, dated August 27, 2010 has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.